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Clerk, U.S. Dist. Court
W. Dist. of N.C.

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

DOCKET NO. 3:03CR181-MU

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT ANTHONY THOMPSON,

Defendant.

**PRELIMINARY ORDER
OF FORFEITURE**

In the bill of indictment in this case, the United States sought forfeiture of property of the defendant pursuant to 21 U.S.C. §853(a) as property that was proceeds of and/or was used to facilitate the drug crimes charged, together with any other substitute property, which would be subject to forfeiture under §853(p).

Defendant pled guilty to Counts One and Nine in the bill of indictment and was adjudged guilty of the offenses charged in those counts. On November 15, 2004, Judge McKnight entered an order granting the government's motion for a preliminary order of forfeiture, but the specific assets to be forfeited were not listed in the order. The government has therefore filed a supplemental motion with a proposed order listing the specific assets for forfeiture, supported by a copy of the affidavit originally submitted with the applications for seizure warrants as to each of these vehicles and related assets.

Based on defendant's conviction, Judge McKnight's previous ruling, and the affidavit submitted with the government's motion, the Court finds that defendant's property listed below is subject to forfeiture in accordance with the notice and allegations in the indictment.

It is therefore ORDERED:

**DOCUMENT
SCANNED**

Based upon defendant's plea of guilty, the United States is authorized to seize the following property belonging to defendant, and it is hereby forfeited to the United States for disposition according to law, subject to the provisions of 21 U.S.C. §853(n):

1. All currency and monetary instruments which were received during, involved in or used or intended to be used to facilitate the crimes alleged in the bill of indictment, consisting of total drug proceeds in the amount of \$2.6 million, including \$17,160 in United States currency seized on or about November 10, 2003.

2. Real properties located in Cleveland County, North Carolina, as described in the Cleveland County Public Registry in deeds recorded at Deed Book 1266, Page 649, and Deed Book 1352, Page 700.

3. The following vehicles and conveyances:

- a. 1990 Trailmobile Trailer;
- b. 1990 Mono Trailer;
- c. 1994 Volvo Tractor (also identified as a 1993 GMC tractor);
- d. 1996 Volvo Tractor;
- e. 1997 International Truck/Trailer;
- f. 2002 Haulmark Trailer;
- g. 1998 Freightliner Tractor;
- h. 1988 Ford F350 XLT Lariat Wrecker;
- i. 2003 Bentley Pontoon Boat with Hustler Trailer;
- j. 1992 Fleetwood Bounder Motorhome;
- k. 1989 Fleetwood Bounder Motorhome;
- l. Black Chevrolet Camaro Drag Race Car;
- m. Silver Ford Mustang Drag Race Car;

- n. 2001 Ford Mustang (modified for drag racing);
- o. V8 drag racing engine;
- p. Bobcat 873;
- q. Great Bend NT 204 Tractor.

Pursuant to 21 U.S.C. §853(n)(1), the government shall publish at least once a week for three successive weeks in a newspaper of general circulation, notice of this order; notice of its intent to dispose of the property in such manner as the Attorney General may direct; and notice that any person, other than the defendant, having or claiming a legal interest in any of the above-listed forfeited property must file a petition with the Court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in each of the forfeited properties and any additional facts supporting the petitioner's claim and the relief sought. The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in property that is the subject of this order of forfeiture, as a substitute for published notice as to those persons so notified.

Upon adjudication of all third-party interests, this Court will enter a final order of forfeiture pursuant to 21 U.S.C. §853(n).

This the 13th day of June, 2005.


GRAHAM C. MULLEN
UNITED STATES DISTRICT JUDGE